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# Message Text

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61
ORIGIN COA-02

INFO OCT-01 ARA-16 EUR-25 EA-11 ISO-00 CIAE-00 DODE-00

PM-07 H-03 INR-11 L-03 NSAE-00 NSC-07 PA-04 RSC-01

PRS-01 SP-03 SS-20 USIA-15 DLOS-07 EB-11 COME-00

TRSE-00 INT-08 FMC-04 AGR-20 CIEP-03 CEA-02 CG-00

DOTE-00 IO-14 /199 R

DRAFTED BY S/FW-COA:LNSCHOWENGERDT
APPROVED BY S/FW-COA:WLSULLIVAN
L/OES - MR BURTON
D/LOS - MR MOORE
EUR/EE - MR DENNIS
---------- 009561
P 132130Z SEP 74
FM SECSTATE WASHDC
TO AMEMBASSY OTTAWA PRIORITY
AMEMBASSY COPENHAGEN
AMEMBASSY BONN
USMISSION BERLIN
AMEMBASSY HELSINKI
AMEMBASSY PARIS
AMEMBASSY LONDON
AMEMBASSY ATHENS
AMEMBASSY REYKJAVIK
AMEMBASSY ROME
AMEMBASSY TOKYO
AMEMBASSY SEOUL
AMEMBASSY MEXICO
AMEMBASSY OSLO
AMEMBASSY SOFIA
AMEMBASSY WARSAW
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AMEMBASSY CARACAS

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E.O. 11652: N/A
TAGS: EFIS PLOS US XN XL XP
SUBJECT: NEW ENFORCEMENT GUIDELINES ON US RIGHTS TO LIVING RESOURCES OF THE CONTINENTAL SHELF
REF: A. STATE SEPTEL SAME SUBJ TODAY
B. WARSAW 5474 NOTAL

1. REF A CONTAINS TEXT OF CIRCULAR NOTE ON NEW GUIDELINES FOR ENFORCEMENT OF US RIGHTS TO LIVING RESOURCES OF THE CONTINENTAL SHELF.
2. SOME CONFUSION HAS ARISEN AS TO EXTENT OF NEW PROCEDURES AND IMPACT ON EXISTING MULTILATERAL AGREEMENTS SUCH AS ICNAF, INPFC, ETC.
3. FOR YOUR USE IN RESPONSE TO INQUIRIES, FOLLOWING POINTS ARE PERTINENT:
A. THE NOTE AND THE NEW ENFORCEMENT PROCEDURES REFER ONLY TO LIVING RESOURCES OF THE CONTINENTAL SHELF. EXAMPLES ARE AMERICAN LOBSTER, KING CRAB, TANNER CRAB AND OTHER CRUSTACEA; ABALONE, QUEEN CONCH, SURF CLAM AND OTHER MOLLUSKA; AND VARIOUS SPONGES. THE SOVEREIGN RIGHTS TO THESE CREATURES OF THE SHELF ARE NOT NEW. THE US INTENT TO ENFORCE THOSE RIGHTS IS NOT NEW.
B. THE NOTE AND THE NEW ENFORCEMENT PROCEDURES DO NOT REPEAT NOT APPLY TO FIN FISHES AND HAVE NO REPEAT NO DIRECT IMPACT ON SUCH EXISTING MULTILATERALS AS ICNAF AND INPFC. HOWEVER, APPROPRIATE REGULATIONS WHICH WOULD HAVE THE EFFECT OF ACHIEVING THE DESIRED PROTECTION OF THE SHELF RESOURCES IN MULTILATERALS COULD OBVIATE THE NEED FOR BI-LATERALS IN SOME CASES.
C. THE DIFFERENCES BETWEEN THESE NEW PROCEDURES AND THE PREVIOUS PROCEDURES ARE: THE DECISION TO BOARD AND INSPECT VESSELS FISHING WITH BOTTOM GEAR, INCLUDING BOTTOM TRAWLING GEAR, TO DETERMINE WHETHER THOSE VESSELS ARE TAKING CONTINENTAL SHELF FISHERY RESOURCES (CSFR); AND, SINCE BOTTOM TYPE GEAR ALMOST INEVITABLY TAKES CSFR EVEN WHEN DIRECTED AT OTHER SPECIES, THE REQUIREMENT FOR BI-
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LATERAL AGREEMENTS DESIGNED TO REDUCE AND CONTROL SUCH INCIDENTAL CATCH OF CSFR. KISSINGER

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**Capture Date:** 01 JAN 1994
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**Disposition Authority:** garlanwa
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**Status:** NATIVE
**Subject:** NEW ENFORCEMENT GUIDELINES ON US RIGHTS TO LIVING RESOURCES OF THE CONTINENTAL SHELF
**TAGS:** EFIS, PLOS, US, XN, XL, XP
**To:** OTTAWA MULTIPLE
**Type:** TE
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